

REMARKS

Claims 1-3 and 6-14 are pending in the present application. No new matter has been added.

Response to Advisory Action

Applicants gratefully acknowledge the Examiner's indication that the rejections under 35 U.S.C. §112, written description and enablement, have been overcome. In addition, Applicants acknowledge the Examiner's indication that the Terminal Disclaimer filed on August 4, 2009 has been accepted and recorded. Applicants note that there appears to be a typographical error in the Advisory Action regarding the Terminal Disclaimer, which was filed over U.S. Patent No. 6,723,705.

Applicants appreciate the Examiner's willingness to discuss the only remaining rejection, an obviousness-type double patenting rejection over U.S. Patent No. 6,451,305, by telephone on April 1, 2010. As discussed during the call, Applicants are in the process of reviewing documents and preparing documents to be filed with the USPTO that are consistent with the rules for joint research agreements.

CONCLUSION

Applicants submit that the claims have been placed in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at (617) 832-1000. If any fees are due, the Commissioner is hereby authorized to credit any overpayment or charge any deficiencies to **Deposit Account No. 06-1448, Reference No. DFS-091.04.**

Respectfully submitted,
Foley Hoag LLP

Date: April 5, 2010
Customer No: 25181
Patent Department
Foley Hoag, LLP
155 Seaport Blvd.
Boston, MA 02210-2600
Phone: (617) 832-1000
Fax: (617) 832-7000

/Hathaway P. Russell/
Hathaway P. Russell, Esq.
Reg. No. 46,488
Attorney for Applicants